



**The Haryana Legislative Assembly (Allowances and Pension of Members) Act,
1975**

Act 2 of 1975

Keyword(s):

**Member of Legislative Assembly, Committee, Deputy Speaker, Leader of
Opposition, Member, Meeting, Prescribed, Speaker**

**Amendments appended: 8 of 2005, 2 of 2006, 13 of 2006, 30 of 2006, 10 of
2007, 19 of 2012, 20 of 2013**

DISCLAIMER: This document is being furnished to you for your information by PRS Legislative Research (PRS). The contents of this document have been obtained from sources PRS believes to be reliable. These contents have not been independently verified, and PRS makes no representation or warranty as to the accuracy, completeness or correctness. In some cases the Principal Act and/or Amendment Act may not be available. Principal Acts may or may not include subsequent amendments. For authoritative text, please contact the relevant state department concerned or refer to the latest government publication or the gazette notification. Any person using this material should take their own professional and legal advice before acting on any information contained in this document. PRS or any persons connected with it do not accept any liability arising from the use of this document. PRS or any persons connected with it shall not be in any way responsible for any loss, damage, or distress to any person on account of any action taken or not taken on the basis of this document.

THE HARYANA LEGISLATIVE ASSEMBLY (ALLOWANCES
AND PENSION OF MEMBERS) ACT, 1975

(HARYANA ACT NO. 2 OF 1975)

TABLE OF CONTENTS

Sections

1. Short title.
2. Definitions.
3. Compensatory allowances.
- 3A. Constituency allowance.
- 3B. Sumptuary allowance.
- 3C. Office allowance.
4. Special Provision regarding Leader of opposition.
5. Other allowances.
6. Amenities.
7. Free Transit by Railway or State Transport Undeer takings.
- 7A. Pension.
- 7B. Medical facilities to certain Persons.
- 7C. Free travelling facility to certain persons.
8. Liability to pay income-tax.
9. Power to make rules.
- 10 Interpretation.
11. Repeal.

THE HARYANA LEGISLATIVE ASSEMBLY
²[(ALLOWANCES AND PENSION) OF MEMBERS]
 ACT, 1975

(HARYANA ACT NO. 2 OF 1975)

*[Received the assent of the Governor of Haryana on the
 21st January, 1975 and first published for general
 information in the Haryana Government Gazette
 (Extraordinary), Legislative Supplement Part I
 of 22nd January, 1975.]*

1	2	3	4
Year	No.	Short Title	Whether repealed or otherwise affected by legislation
1975	2	The Haryana Legislative Assembly ³ [(Allowances and Pension) of Members] Act, 1975	Amended by Haryana Act 23 of 1975 ⁴ Amended by Haryana Act 24 of 1975 ⁵ Amended by Haryana Act 22 of 1976 ⁶ Amended by Haryana Act 6 of 1977 ⁷

1. For Statement of Objects and Reasons, see *Haryana Government Gazette (Extraordinary)*, dated the 27th December, 1974, pages 1839-40.
2. Substituted for the word "Allowances" by Haryana Act 6 of 1977.
3. Substituted for the word "Allowances" by Haryana Act 6 of 1977.
4. For Statement of Objects and Reasons, see *Haryana Government Gazette (Extraordinary)*, dated the 7th August, 1975, page 1042.
5. For Statement of Objects and Reasons, see *Haryana Government Gazette (Extraordinary)*, dated the 9th August, 1975, page 1052.
6. For Statement of Objects and Reasons, see *Haryana Government Gazette (Extraordinary)*, dated the 1st July, 1976, page 206.
7. For Statement of Objects and Reasons, see *Haryana Government Gazette (Extraordinary)*, dated the 25th March, 1977, pages 475.

1	2	3	4
Year	No.	Short Title	Whether repealed or otherwise affected by legislation
1975 <i>Contd.</i>			<p>Amended by Haryana Act 19 of 1977¹</p> <p>Amended by Haryana Act 20 of 1978²</p> <p>Amended by Haryana Act 13 of 1979³</p> <p>Amended by Haryana Act 16 of 1980⁴</p> <p>Amended by Haryana Act 17 of 1980⁵</p> <p>Amended by Haryana Act 18 of 1980⁶</p> <p>Amended by Haryana Act 31 of 1980⁷</p> <p>Amended by Haryana Act 37 of 1980⁸</p> <p>Amended by Haryana Act 8 of 1984⁹</p>

1. For Statement of Objects and Reasons, see *Haryana Government Gazette (Extraordinary)*, dated the 4th July, 1977, page 1202.
2. For Statement of Objects and Reasons, see *Haryana Government Gazette (Extraordinary)*, dated the 24th August, 1978, page 1155.
3. For Statement of Objects and Reasons, see *Haryana Government Gazette (Extraordinary)*, dated the 10th March, 1979, page 524.
4. For Statement of Objects and Reasons, see *Haryana Government Gazette (Extraordinary)*, dated the 11th March, 1980, page 500.
5. For Statement of Objects and Reasons, see *Haryana Government Gazette (Extraordinary)*, dated the 11th March, 1980, page 462.
6. For Statement of Objects and Reasons, see *Haryana Government Gazette (Extraordinary)*, dated the 17th March, 1980, page 566.
7. For Statement of Objects and Reasons, see *Haryana Government Gazette (Extraordinary)*, dated the 5th July, 1980, page 1280.
8. For Statement of Objects and Reasons, see *Haryana Government Gazette (Extraordinary)*, dated the 15th December, 1980, page 2235.
9. For Statement of Objects and Reasons, see *Haryana Government Gazette (Extraordinary)*, dated the 27th March, 1984, page 518.

1	2	3	4
Year	No.	Short Title	Whether repealed or otherwise affected by legislation
			Amended by Haryana Act 9 of 1984 ¹
			Amended by Haryana Act 7 of 1985 ²
			Amended by Haryana Act 11 of 1985 ³
			Amended by Haryana Act 5 of 1986 ⁴
			Amended by Haryana Act 20 of 1986 ⁵
			Amended by Haryana Act 16 of 1988 ⁶
			Amended by Haryana Act 8 of 1989 ⁷
			Amended by Haryana Act 8 of 1990 ⁸
			Amended by Haryana Act 12 of 1990 ⁹

1. For Statement of Objects and Reasons, see *Haryana Government Gazette (Extraordinary)*, dated the 27th March, 1984, page 550.
2. For Statement of Objects and Reasons, see *Haryana Government Gazette (Extraordinary)*, dated the 28th March, 1985, page 481.
3. For Statement of Objects and Reasons, see *Haryana Government Gazette (Extraordinary)*, dated the 26th September, 1985, page 1630.
4. For Statement of Objects and Reasons, see *Haryana Government Gazette (Extraordinary)*, dated the 27th February, 1986, page 373.
5. For Statement of Objects and Reasons, see *Haryana Government Gazette (Extraordinary)*, dated the 25th November, 1986, page 1379.
6. For Statement of Objects and Reasons, see *Haryana Government Gazette (Extraordinary)*, dated the 25th March, 1988, page 420.
7. For Statement of Objects and Reasons, see *Haryana Government Gazette (Extraordinary)*, dated the 13th March, 1989, page 617.
8. For Statement of Objects and Reasons, see *Haryana Government Gazette (Extraordinary)*, dated the 28th March, 1990, page 549.
9. For Statement of Objects and Reasons, see *Haryana Government Gazette (Extraordinary)*, dated the 3rd September, 1990, page 1632.

1	2	3	4
Year	No.	Short Title	Whether repealed or otherwise affected by legislation
			Amended by Haryana Act 6 of 1991 ¹
			Amended by Haryana Act 2 of 1993 ²
			Amended by Haryana Act 5 of 1995 ³
			Amended by Haryana Act 7 of 1997 ⁴
			Amended by Haryana Act 16 of 1997 ⁵
			Amended by Haryana Act 16 of 1998 ⁶
			Amended by Haryana Act 5 of 1999 ⁷
			Amended by Haryana Act 9 of 2002 ⁸

1. For Statement of Objects and Reasons, see *Haryana Government Gazette (Extraordinary)*, dated the 14th March, 1991, page 645.
2. For Statement of Objects and Reasons, see *Haryana Government Gazette (Extraordinary)*, dated the 22nd December, 1992, page 2622.
3. For Statement of Objects and Reasons, see *Haryana Government Gazette (Extraordinary)*, dated the 20th February, 1995, page 254.
4. For Statement of Objects and Reasons, see *Haryana Government Gazette (Extraordinary)*, dated the 20th March, 1997, page 729.
5. For Statement of Objects and Reasons, see *Haryana Government Gazette (Extraordinary)*, dated the 22nd July, 1997, page 1761.
6. For Statement of Objects and Reasons, see *Haryana Government Gazette (Extraordinary)*, dated the 25th July, 1998, page 1245.
7. For Statement of Objects and Reasons, see *Haryana Government Gazette (Extraordinary)*, dated the 5th February, 1999, page 201.
8. For Statement of Objects and Reasons, see *Haryana Government Gazette (Extraordinary)*, dated the 20th March, 2002, page 592.

AN

ACT

**to provide for the¹[allowances and pension] of members of the
Haryana Legislative Assembly.**

Be it enacted by the Legislature of the State of Haryana in the
Twenty-fifth Year of the Republic of India as follows :—

1. This Act may be called the Haryana Legislative Assembly Short title.
¹[(Allowance and Pension) of Members] Act, 1975.

2. In this Act, unless there is anything repugnant in the subject or Definitions.
context,—

- (a) "Assembly" means the Haryana Legislative Assembly ;
- (b) "Committee" means a select committee or other committee of the Assembly and includes any committee appointed by the State Government for a purpose connected with the business of the Government ;
- (c) "Deputy Speaker" means the Deputy Speaker of the Assembly ;
- (d) "Leader of the Opposition" means the member of the Assembly who is for the time being recognized as such by the Speaker of the Assembly ;
- (e) "member" means a member of the Assembly other than a Minister or the Speaker, or the Deputy Speaker ;
- (f) "meeting" means a meeting of the Assembly or of a committee thereof ;
- (g) "prescribed" means prescribed by rules made under this Act ; and
- (h) "Speaker" means the Speaker of the Assembly.

Compensatory
allowances.

3. (1) Subject to the conditions herein contained there shall be paid to each member from the date on which he takes oath a compensatory allowance ¹[at such rates as may be prescribed].

(2) If a member—

(a) fails to attend at least ninety per centum of the total number of meetings held in any month; or

(b) elected during the course of a month fails to attend at least ninety per centum of the total number of meetings held in that month subsequent to the date on which he takes his oath,

he shall not for that month be paid any compensatory allowance other than an allowance ¹[at such rates as may be prescribed] for every meeting actually attended by him as such member unless he satisfies the Secretary of the Assembly that he was prevented by reason of ill-health or any other sufficient cause from attending the required number of meetings :

Provided that no member who draws the compensatory allowance prescribed in this sub-section shall receive a sum greater than ninety per centum of the amount that would be due to him in any one month under sub-section (1) had he attended the requisite number of meetings.

¹[(3) Wherein any month there have been no meetings or no meeting is held after the election of a member during the course of a month, the member shall be paid full compensatory allowance for such month.]

(4) Notwithstanding anything hereinbefore contained, no compensatory allowance shall be paid to any member in respect of any period during which he was under legal detention ²[under any law other than the Maintenance of Internal Security Act, 1971] for the time being in force.

³[*Explanation.*—For the purposes of this section, the term "member" shall not include the Leader of Opposition, Chief Parliamentary Secretary or Parliamentary Secretary.]

1. Substituted by Haryana Act 16 of 1997.

2. Substituted by Haryana Act 19 of 1977 and shall be deemed to have been substituted w.e.f. 1st June, 1975.

3. Added by Haryana Act 5 of 1999.

¹[3A. Notwithstanding anything contained in any other law for the time being in force, there shall be paid to each member a constituency allowance ²[of eight thousand rupees per mensem or as may be prescribed].

Constituency allowance.

Explanation— For the purposes of this section a member shall include the Chief Minister, a Minister, a Minister of State, a Deputy Minister, the Speaker, the Deputy Speaker, the Chief Parliamentary Secretary and a Parliamentary Secretary.]

³[3B. There shall be paid to each member a sumptuary allowance of one thousand rupees per mensem or as may be prescribed from time to time.

Sumptuary allowance.

3C. There shall be paid to each member an office allowance of two thousand five hundred rupees per mensem or as may be prescribed :

Office allowance.

Provided that an office allowance to maintain office in his Constituency/District shall be paid to the Leader of Opposition at such rate as is admissible to a Minister under the Haryana Salaries and Allowances of Ministers Act, 1970].

4. (1) In addition to the allowances payable under this Act, the Leader of the Opposition shall be entitled to receive ⁴[a salary of ⁵(eleven thousand rupees) per mensem and a sumptuary allowance at the rate as may be prescribed].

Special provision regarding Leader of Opposition.

(2) He shall also be entitled without payment of rent to the use of a furnished residence at the headquarters of the State Government throughout his term of office and no charge shall fall on him personally

-
1. Inserted by Haryana Act 23 of 1975.
 2. Substituted by Haryana Act 17 of 1980 w.e.f. 1st April, 1980 and further substituted by Haryana Act 7 of 1985 and further substituted by Haryana Act 16 of 1988 w.e.f. 1st April, 1988 and further substituted by Haryana Act 8 of 1989 w.e.f. 1st March, 1989 and further substituted by Haryana Act 8 of 1990 w.e.f. 1st April, 1990 and further substituted by Haryana Act 2 of 1993 and further substituted by Haryana Act 16 of 1997 and further substituted by Haryana Act 9 of 2002.
 3. Inserted by Haryana Act 16 of 1998.
 4. Substituted by Haryana Act 16 of 1988 w.e.f. 1st April, 1988 and further substituted by Haryana Act 2 of 1993 and further substituted by Haryana Act 16 of 1997.
 5. Substituted by Haryana Act 16 of 1998.

in respect of the maintenance of such residence, or, in lieu of such residence shall be entitled to be paid such allowance not exceeding three hundred rupees per mensem as the State Government may determine.

¹[(2A) He shall also be entitled to a conveyance allowance at the rate of ²(ten thousand rupees) per mensem or in lieu thereof a State car, the expenses on the maintenance and propulsion of which shall be borne by the State Government subject to such restrictions as may be imposed by the State Government, from time to time, for the use of State cars by the Ministers :

Provided that the maintenance and propulsion expenses of the State car in use by him shall not be subject to the limit of ²(ten thousand rupees) per mensem.

(2B) He shall further be provided with a telephone at his residence at the headquarters of the State Government, at the expense of the State Government, subject to such restrictions as may be imposed by the State Government, from time to time, for the use of residential telephones by the Ministers.]

³[(2C) He shall further be entitled to stationery and stamps or incur expenditure thereon upto the value of not more than two thousand and four hundred rupees per annum.

(2D) He shall also be entitled, while on tour, to daily allowance, as admissible to a Minister.

(2E) Notwithstanding anything to the contrary contained in this Act, the Leader of the Opposition shall not be entitled to daily allowance for attending meetings of the committees of the Haryana Legislative Assembly.]

(3) He shall further be provided with the following staff, namely :—

(i) a personal assistant; and

(ii) a peon

1. Inserted by Haryana Act 37 of 1980 w.e.f. 1st July, 1980.

2. Substituted by Haryana Act 16 of 1997 and further substituted by Haryana Act 16 of 1998.

3. Inserted by Haryana Act 8 of 1984.

(4) The salary and allowance referred to in ¹[sub-section (1), (2) and (2A)] respectively shall be exclusive of the tax payable in respect thereof under any law relating to income tax for the time being in force and such tax shall be borne by the State Government.

Explanation.—For the purposes of this sub-section, the salary and allowance received by the Leader of the Opposition during any financial year shall be deemed to be his only income for that financial year.

²[5. (1) Subject to such conditions and limitations as may be imposed by rules made under this Act, there shall be paid— Other allowances.

(a) to the Speaker and the Deputy Speaker such travelling and halting allowances ³[as admissible to a Minister] ; and

(b) to each member—

(i) such travelling allowances as may be prescribed ;

(ii) a halting allowance ⁴[at the rate of rupees five hundred per day or as may be prescribed] for each day of attendance at a meeting of the Assembly or committee or in respect of journeys undertaken under the orders of the Speaker for any other business any where connected with his duties as a member :

⁵[* * * * *] ;

Provided further that if a member has been ordered to absent himself from a meeting or meetings of the Assembly under the Rules of Procedure and Conduct of Business in the Haryana Legislative Assembly for the time being in force, he shall not

-
1. Substituted by Haryana Act 37 of 1980 w.e.f. 1st July, 1980.
 2. Section 5 renumbered as sub-section (1) by Haryana Act 16 of 1980.
 3. Substituted by Haryana Act 9 of 2002.
 4. Substituted by Haryana Act 24 of 1975 and further substituted by Haryana Act 9 of 1984 and further substituted by Haryana Act 8 of 1989 w.e.f. 1st March, 1989 and further substituted by Haryana Act 2 1993 and further substituted by Haryana Act 7 of 1997 and further substituted by Haryana Act 16 of 1997 and further substituted by Haryana Act 9 of 2002.
 5. Omitted by Haryana Act 24 of 1975.

be entitled for such period of absence to the allowance :

Provided further that a member shall also be entitled to halting allowance,—

- (1) where he arrives for attending a meeting of the Assembly one or two days earlier to the date of such meeting, or departs from the place of such meeting one or two days immediately after the date on which the Assembly is adjourned sine die, for such one or two days, as the case may be, of arrival and departure; and
- (2) where he arrives for attending a meeting of a committee one day earlier to the date of such meeting, or departs from the place of such meeting one day immediately after the conclusion of the business of the committee, for such one day of arrival and departure ;
- (iii) an incidental allowance '[at the rate as may be prescribed] for the day of departure from and incidental allowance '[at the rate as may be prescribed] per day for the day of arrival at the usual place of residence of the member when he leaves his usual place of residence to attend a meeting and returns thereto after the meeting.

Explanation.—A break of less than four days between two successive meetings of the Assembly or committee shall be deemed to be a day or days of attendance for a member who does not leave the place of the meeting during such break :

Provided that nothing in this section shall entitle the Speaker or the Deputy Speaker or any member to any travelling or halting allowance if such person ordinarily resides or carries on business at any place within five miles of the place at which his attendance is required in connection with his duties as Speaker or Deputy Speaker or member, as the case may be.]

¹[(2) Nothing in sub-section (1) shall debar a member from claiming halting allowance under that sub-section for the day of the meeting merely on the ground that the meeting was adjourned for want of quorum or cancelled for any reason whatsoever, if the member came to know of such adjournment or cancellation after arriving at the place of the meeting.]

6. (1) A member shall be entitled to such residential Amenities.
accommodation on concessional rates at the place of sitting of the Assembly as may be prescribed

²[(2) Every member shall, at the expense of the State Government, be provided with a telephone, at his option, either at his permanent place of residence or at Chnadigarh or if for any reason such facility cannot be provided at such place, at any other place, specified by the member.]

³[(3) A member provided with a telephone under sub-section (2) shall be paid an allowance of ⁷[rupees ten thousand] per mensem or as may be prescribed.]

⁴[Explanation — For the purposes of sub-sections (2) and (3), a Member shall include the Chief Minister, Minister, a Minister of State, a Deputy Minister, the Speaker, the Deputy Speaker the Chief Parliamentary Secretary and a Parliamentary Secretary.]

7. (1) every member shall be provided with—

⁵[(a) the facility of free travel which shall entitle him (including members of his family), to travel to ⁶(any place in India or outside India) through any mode of transport. He shall be reimbursed the actual expenses

Free transit be
Railway or
State Transport
Undertakings.

1. Inserted by Haryana Act 16 of 1980.

2. Substituted by Haryana Act 37 of 1980.

3. Substituted by Haryana Act 9 of 1984 and substituted by Haryana Act 8 of 1989 w.e.f. 1st March, 1989 and further substituted by Haryana Act 8 of 1990 w.e.f. 1st April, 1990 and further substituted by Haryana Act 2 of 1993 and further substituted by Haryana Act 7 of 1997 w.e.f. 1st April, 1997 and further substituted by Haryana Act 16 of 1997 and further substituted by Haryana Act 16 of 1998.

4. Added by Haryana Act 24 of 1975.

5. Substituted by Haryana Act 7 of 1985 and further substituted by Haryana Act 12 of 1990 and further substituted by Haryana Act 7 of 1997.

6. Substituted by Haryana act 16 of 1997.

incurred by him for undertaking such journey subject to a maximum of ¹[one lac and twenty-five thousand rupees] per annum or as may be prescribed :]

²[(b) (i) two free non-transferable passes which shall entitle him and his wife or any other person accompanying him to travel at any time by any public service vehicle of Haryana State Transport Undertaking, including deluxe coach; and

(ii) one free non-transferable pass which shall entitle him to travel at any time within the State of Haryana or the Union Territory of Delhi or the Union Territory of Chandigarh by any public service vehicle of the Pepsu Road Transport Corporation :

Provided that if the journey is performed by him by an air-conditioned vehicle, he shall pay the difference between the fare of such vehicle and that of a deluxe vehicle.]

Explanation :— For the purposes of clause (b), a journey shall be deemed to be a journey within State of Haryana or the Union Territories of Delhi or Chandigarh, where the place of commencement of the journey and the destination thereof are situated in such State or any such Union Territory, or the place of commencement is situated in such State and the destination in any such Union Territory, or the place of commencement is situated in one such Union Territory, and the destination in another such Union Territory, notwithstanding that the territory of any other State or Union Territory intervenes.

³[*Explanation II.*— For the purpose of this sub-section a member shall include the Chief Minister, a Minister, a Minister of State, a Deputy Minister, the Speaker, the

1. Substituted by Haryana Act 16 of 1998 and further substituted by Haryana Act 9 of 2002.

2. Substituted by Haryana Act 13 of 1979.

3. Substituted by Haryana Act 23 of 1975 and shall be deemed to have always been substituted.

Deputy Speaker, the Chief Parliamentary Secretary and
a Parliamentary Secretary.]

(2) The free passes issued to a member under sub-section (1) shall be valid for the term of his office and on the expiration of such term, such passes shall be surrendered by him to the Secretary of the Assembly.

(3) Nothing in this section shall be construed as disentitling a member to any travelling allowance to which he is otherwise entitled under the provisions of this Act or the rules made thereunder.

¹[7A. ²{(1) Every person shall be paid a pension of one thousand four hundred rupees per mensem if he has served as a Member upto a period of two years, two thousand five hundred rupees per mensem for a period exceeding two years but not exceeding five years and an additional pension of five hundred rupees per mensem for every additional year or part thereof exceeding a period of five years and family pension shall be admissible as may be prescribed to surviving spouse and after his or her death to the children (upto the age of 18 years) of members who had been drawing pension under the Act.} Pension.

³{(1-A) No pension shall be admissible under sub-section (1) ⁴(to a member in respect of the term and during the period for which he is disqualified) under the Representation of the People Act, 1951, or any other law for the time being in force.}

⁵[Proviso] * * *

⁶{(1AA) Every person, who draws pension or family pension or is entitled to draw the same shall, in addition to the pension or family pension, as the case may be, admissible under this Act, shall be paid dearness allowance on pension, as is admissible to other pensioners of the State Government.]

-
1. Inserted by Haryana Act 6 of 1977.
 2. Substituted by Haryana Act 7 of 1985 and further substituted by Haryana Act 6 of 1991 and further substituted by Haryana Act 16 of 1997 and further substituted by Haryana Act 16 of 1998.
 3. Inserted by Haryana Act 20 of 1978 w.e.f. 8th April, 1977.
 4. Substituted by Haryana Act 18 of 1980 w.e.f. 8th April, 1977.
 5. Added by Haryana Act 20 of 1986 and further substituted by Haryana Act 6 of 1991 and further substituted by Haryana Act 16 of 1997 and further omitted by Haryana Act 16 of 1998.
 6. Inserted by Haryana Act 5 of 1999.

¹[Proviso] * * *

(2) Where any person entitled to pension under sub-section (1)—

- (i) is elected to the office of the President or Vice-President or is appointed to the office of the Governor of any State of the Administrator of any Union Territory ; or
- (ii) becomes a member of the Council of States or the House of the People or any Legislative Assembly of a State or Union Territory or any Legislative Council of a State or the Metropolitan Council of Delhi constituted under section 3 of the Delhi Administration Act, 1966; or
- (iii) is employed on a salary under the Central Government or any State Government or any corporation owned or controlled by the Central Government or any State Government, or any local authority or becomes otherwise entitled to any remuneration from such Government, corporation or local authority,

such person shall not be entitled to any pension under sub-section (1) for the period during which he continues to hold such office or as such member, or is so employed, or continues to be entitled to such remuneration :

Provided that where the salary payable to such person for holding such office or being such member or so employed, or where the remuneration referred to in clause (iii) payable to such person, is in either case, less than the pension payable to him under sub-section (1), such person shall be entitled only to receive the balance as pension under that sub-section.

²[(3) Where any person entitled to pension under sub-section (1) is also entitled to any other pension, such person shall be entitled to receive the pension under sub-section (1) in addition to such other pension.]

1. Inserted by Haryana Act 6 of 1991 and further omitted by Haryana Act 16 of 1997.

2. Substituted by Haryana Act 16 of 1997.

¹[* * * * *]

²[(4) In this section a member means a person who, after the commencement of the Constitution of India,—

(a) has been a member of—

- (i) the Haryana Legislative Assembly ; or
- (ii) the Punjab Legislative Assembly ; or
- (iii) the Punjab Legislative Council ; or
- (iv) the Legislative Assembly of the erstwhile State of Patiala and east Punjab States Union ; or
- (v) partly as member of the one and partly as a member of the other ;

representing any of the territories of the State of Haryana as formed by section 3 of the Punjab Reorganisation Act, 1966, and who is ordinarily resident of the said territories ;

(b) has served as Chief Minister, Minister, Speaker, Minister of State, Deputy Minister, Deputy Speaker, Chief Parliamentary Secretary or Parliamentary Secretary.]

³[(5) * * * * *]

⁴[7B * * * * *]

⁵[7C. Every person who is entitled to pension under this Act shall be provided with—

Free travelling facility to certain persons.

- (a) one free non-transferable pass which shall entitle him to travel at any time by any public service vehicle of the Haryana State Transport Undertaking including deluxe coach ;

-
1. Proviso added by Haryana Act 20 of 1978 w.e.f. 8th April, 1977 and further omitted by Haryana Act 20 of 1986.
 2. Inserted by Haryana Act 20 of 1978 w.e.f. 8th April, 1977 and further substituted by Haryana Act 20 of 1986.
 3. Inserted by Haryana Act 20 of 1978 w.e.f. 8th April, 1977 and further omitted by Haryana Act 20 of 1986.
 4. Inserted by Haryana Act 31 of 1980 and further omitted by Haryana Act 19 of 1986.
 5. Inserted by Haryana Act 5 of 1986.

- (b) one free non-transferable pass which shall entitle him to travel at any time within the State of Haryana or the Union Territory of Delhi or the Union Territory of Chandigarh by any public service vehicle of the Pepsu Road Transport Corporation :

Provided that if the journey is performed by him by an air conditioned vehicle, he shall pay the difference between the fare of such vehicle and that of a deluxe vehicle.

Explanation.— For the purposes of clause (b), a journey shall be deemed to be a journey within the State of Haryana or the Union Territories of Delhi or Chandigarh, where the place of commencement of the journey and the destination thereof are situated in such State or any such Union Territory, or the place of commencement is situated in such State and the destination in any such Union Territory, or the place of commencement is situated in one such Union Territory and the destination in another such Union Territory, notwithstanding that the territory of any other State or Union Territory intervenes.]

Liability to pay
income tax.

8. The member's allowances referred to in this Act, shall be exclusive of the tax payable in respect thereof under any law relating to income tax for the time being in force, and such tax shall be borne by the State Government

Explanation.— For the purposes of this section, '[the allowances received by the Member and the salary and allowances received by him as a Minister as defined in section 2 of the Haryana Salaries and Allowances of Ministers Act, 1970.] during any financial year shall be deemed to be his only income for that year.

Power to make
rules.

9. (1) The Speaker may make rules for carrying out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, the Speaker may make rules in respect of the following matters, namely :—

- (a) any matter which is required by this Act to be prescribed ;

1. Substituted by Haryana Act 22 of 1976 and shall always be deemed to have been substituted.

- (b) the rates on and circumstances under which travelling and halting allowances may be drawn and the circumstances under which such allowances may be withheld ;
- (c) the manner in which distances between any two places should be calculated for the purposes of travelling allowance ;
- (d) the shortest available route by which a journey can be performed ;
- (e) the form in which claims may be presented, the method of scrutiny of claims and the authorities by and the manner in which such claims may be certified and paid;
- (f) provision for residential accommodation of members ;
- (g) provision for travelling passes by Rail or Road Transport ; and
- ¹[(gg) the form in which certificates, if any, shall be furnished by any person for the purpose of claiming any pension under this Act ;]
- (h) any other matter connected with or incidental to matters aforesaid.

(3) Until such rules come into force, all matters of detail not covered by this Act, shall be governed by the rules hitherto in force for the payment of allowances to members, so far as they are applicable.

10. If any question arises as to the interpretation of this Act or of the rules made thereunder, the matter shall be referred to the Speaker whose decision shall be final. Interpretation.

11. The Punjab Legislative Assembly (Allowances of Members) Act, 1942 (Punjab Act 4 of 1942), in its application to the State of Haryana, is hereby repealed. Repeal.

PART I

LEGISLATIVE DEPARTMENT

Notification

The 13th July, 2005

No. Leg. 11/2005.—The following Act of the Legislature of the State of Haryana received the assent of the Governor of Haryana on the 7th July, 2005, and is hereby published for general information :—

HARYANA ACT NO. 8 OF 2005

THE HARYANA LEGISLATIVE ASSEMBLY (ALLOWANCES AND
PENSION OF MEMBERS) AMENDMENT ACT, 2005

AN

ACT

*further to amend the Haryana Legislative Assembly (Allowances and
Pension of Members) Act, 1975.*

BE it enacted by the Legislature of the State of Haryana in the Fifty-sixth
Year of the Republic of India as follows :—

1. This Act may be called the Haryana Legislative Assembly (Allowances
and Pension of Members) Amendment Act, 2005.

Short title

2. After Section 3C of the Haryana Legislative Assembly (Allowances
and Pension of Members) Act, 1975, the following section shall be inserted,
namely :—

Insertion of
section 3D in
Haryana Act 2
of 1975.

“3D. **Secretarial allowance.**—A member shall be entitled to
secretarial allowance at the rate of Rs. 5 000/- per mensem
which the Haryana Vidhan Sabha Secretariat may pay to the
person to be notified by the member to the Secretariat to work
as his Secretary :

Provided that the person so notified by the
member shall render assistance to the member at his pleasure :

Provided further that no member who has been holding
office of Chief Minister/Deputy Chief Minister/Minister/Deputy
Minister/Speaker/Deputy Speaker/Chief Parliamentary
Secretary/Parliamentary Secretary and retains Special Assistant
(Personal) shall draw such allowance.”.

Repeal and
saving

3. (1) The Haryana Legislative Assembly (Allowances and Pension of Members) Amendment Ordinance, 2005 (Haryana Ordinance No. 3 of 2005), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.

R. S. MADAN,
Secretary to Government Haryana,
Legislative Department.

PART I

HARYANA GOVERNMENT
LEGISLATIVE DEPARTMENT

Notification

The 13th January, 2006

No. Leg. 2/2006.—The following Act of the Legislature of the State of Haryana received the assent of the Governor of Haryana on the 9th January, 2006, and is hereby published for general information :—

HARYANA ACT NO. 2 OF 2006

THE HARYANA LEGISLATIVE ASSEMBLY (ALLOWANCES AND
PENSION OF MEMBERS) SECOND AMENDMENT ACT, 2005

AN

ACT

*further to amend the Haryana Legislative Assembly (Allowances and
Pension of Members) Act, 1975.*

Be it enacted by the Legislature of the State of Haryana in the Fifty-sixth
Year of the Republic of India as follows :—

1. This Act may be called the Haryana Legislative Assembly (Allowances
and Pension of Members) Second Amendment Act, 2005.

Short title

2. In sub-section (1) of section 4 of the Haryana Legislative Assembly
(Allowances and Pension of Members) Act, 1975 (hereinafter called the principal
Act), for the words "eleven thousand rupees", the words "twelve thousand
rupees" shall be substituted.

Amendment of
section 4 of
Haryana Act 2
of 1975.

3. In sub-clause (ii) of clause (b) of sub-section (1) of section 5 of the
principal Act, for the words "rupees five hundred", the words "six hundred
rupees" shall be substituted.

Amendment of
section 5 of
Haryana Act 2
of 1975.

4. For sub-section (1) of section 7A of the principal Act, the following
sub-section shall be substituted, namely :—

Amendment of
section 7A of
Haryana Act 2
of 1975.

"(1) Every person shall be paid a pension of three thousand rupees
per mensem who has served as a member for a period not
exceeding five years :

Provided that where any person has served as a member for
a period exceeding five years, he shall be paid an additional
pension of six hundred rupees per mensem for every year in
excess of five years."

G. S. KOTLA,

Joint Secretary to Government, Haryana,
Legislative Department.

PART I

HARYANA GOVERNMENT

LEGISLATIVE DEPARTMENT

Notification

The 17th February, 2006

No. Leg. 14/2006.—The following Act of the Legislature of the State of Haryana received the assent of the Governor of Haryana on the 10th February, 2006, and is hereby published for general information :—

HARYANA ACT NO. 13 OF 2006

THE HARYANA LEGISLATIVE ASSEMBLY (ALLOWANCES AND
PENSION OF MEMBERS) AMENDMENT ACT, 2006

AN

ACT

*further to amend the Haryana Legislative Assembly
(Allowances and Pension of Members) Act, 1975.*

Be it enacted by the Legislature of the State of Haryana in the Fifty-sixth Year of the Republic of India as follows :—

1. This Act may be called the Haryana Legislative Assembly (Allowances and Pension of Members) Amendment Act, 2006.

Short title.

2. In clause (a) of sub-section (1) of section 7 of the Haryana Legislative Assembly (Allowances and Pension of Members) Act, 1975, for the words "one lac and twenty-five thousand rupees", the words "two lac rupees" shall be substituted.

Amendment of
section 7 of
Haryana Act 2
of 1975.

R. S. MADAN,
Secretary to Government, Haryana,
Legislative Department.

232

PART I

HARYANA GOVERNMENT
LEGISLATIVE DEPARTMENT

Notification

The 8th November, 2006

No. Leg. 34/2006.—The following Act of the Legislature of the State of Haryana received the assent of the Governor of Haryana on the 30th October, 2006, and is hereby published for general information :—

HARYANA ACT NO. 30 OF 2006

THE HARYANA LEGISLATIVE ASSEMBLY (ALLOWANCES AND
PENSION OF MEMBERS) SECOND AMENDMENT ACT, 2006.

AN

Act

*further to amend the Haryana Legislative Assembly (Allowances and
Pension of Members) Act, 1975.*

Be it enacted by the Legislature of the State of Haryana in the fifty-seventh Year of the Republic of India as follows :—

1. This Act may be called the Haryana Legislative Assembly (Allowances and Pension of Members) Second Amendment Act, 2006.

Short title.

2. For sub-section (1) of section 7A of the Haryana Legislative Assembly (Allowances and Pension of Members) Act, 1975, the following sub-section shall be substituted, namely:—

Amendment of
section 7A of
Haryana Act 2
of 1975.

“(1) Every person shall be paid a pension of five thousand rupees per mensem if he has served as a member for a period not exceeding five years and an additional pension of six hundred rupees per mensem for every additional year exceeding a period of five years :

Provided that family pension shall be admissible and shall be deemed to be admissible with effect from 13th January, 2006, as may be prescribed to surviving spouse and after his or her death to the children (upto the age of eighteen years) of members who had been drawing pension under the Act.”.

M. S. SULLAR,
Secretary to Government, Haryana,
Legislative Department.

PART - I

HARYANA GOVERNMENT
LEGISLATIVE DEPARTMENT

Notification

The 6th April, 2007

No. Leg. 11/2007.—The following Act of the Legislature of the State of Haryana received the assent of the Governor of Haryana on the 2nd April, 2007, and is hereby published for general information :—

HARYANA ACT NO. 10 OF 2007

THE HARYANA LEGISLATIVE ASSEMBLY (ALLOWANCES AND
PENSION OF MEMBERS) AMENDMENT ACT, 2007

AN
ACT

*further to amend the Haryana Legislative Assembly (Allowances and
Pension of Members) Act, 1975.*

Be it enacted by the Legislature of the State of Haryana in the
Fifty-eighth Year of the Republic of India as follows :—

1. (1) This Act may be called the Haryana Legislative Assembly (Allowances and Pension of Members) Amendment Act, 2007. Short title and
commencement.

(2) It shall come into force on such date as the State Government may,
by notification in the Official Gazette, appoint.

2. In sub-section (1-A) of section 7A of the Haryana Legislative Assembly (Allowances and Pension of Members) Act, 1975, the sign and words "or any other law for the time being in force" existing at the end shall be omitted Amendment of
section 7A of
Haryana Act 2
of 1975.

M. S. SULLAR,

Secretary to Government, Haryana,
Legislative Department.

PART I
HARYANA GOVERNMENT
LAW AND LEGISLATIVE DEPARTMENT

Notification

The 13th September, 2012

No. Leg. 24/2012.—The following Act of the Legislature of the State of Haryana received the assent of the Governor of Haryana on the 12th September, 2012, and is hereby published for general information:—

HARYANA ACT NO. 19 OF 2012

THE HARYANA LEGISLATIVE ASSEMBLY
(SALARY, ALLOWANCES AND PENSION OF MEMBERS)
AMENDMENT ACT, 2012

AN

ACT

further to amend the Haryana Legislative Assembly (Salary, Allowances and Pension of Members) Act, 1975.

BE it enacted by the Legislature of the State of Haryana in the Sixty-third Year of the Republic of India as follows :—

1. This Act may be called the Haryana Legislative Assembly (Salary, Allowances and Pension of Members) Amendment Act, 2012. Short title.
2. In the Haryana Legislative Assembly (Salary, Allowances and Pension of Members) Act, 1975 (hereinafter called the principal Act), in section 7,—Amendment of section 7 of Haryana Act 2 of 1975.
 - (I) in sub-clause (i) of clause (b) of sub-section (1), after the words “deluxe coach”, the words “and air-conditioned coach” shall be added;
 - (II) in sub-clause (ii) of clause (b), for the sign “:” existing at the end, the sign “.” shall be substituted; and
 - (III) proviso to clause (b) of sub-section (1) shall be omitted.
3. In the principal Act, in section 7C,—Amendment of section 7C of Haryana Act 2 of 1975.
 - (i) in clause (a), after the words “deluxe coach”, the words “and air-conditioned coach” shall be added;
 - (ii) in clause (b), for the sign “:” existing at the end, the sign “.” shall be substituted; and
 - (iii) proviso to clause (b) of sub-section (1) shall be omitted.

MANJIT SINGH,
Secretary to Government, Haryana,
Law and Legislative Department.

HARYANA GOVERNMENT
LAW AND LEGISLATIVE DEPARTMENT

Notification

The 1st October, 2013

No. Leg. 23/2013.— The following Act of the Legislature of the State of Haryana received the assent of the Governor of Haryana on the 26th September, 2013, and is hereby published for general information:—

HARYANA ACT NO. 20 OF 2013

**THE HARYANA LEGISLATIVE ASSEMBLY (SALARY,
ALLOWANCES AND PENSION OF MEMBERS)
AMENDMENT ACT, 2013**

AN

ACT

further to amend the Haryana Legislative Assembly (Salary, Allowances and Pension of Members) Act, 1975.

Be it enacted by the Legislature of the State of Haryana in the Sixty-fourth Year of the Republic of India as follows :—

Short title.

1. This Act may be called the Haryana Legislative Assembly (Salary, Allowances and Pension of Members) Amendment Act, 2013.

Amendment of
section 2A of
Haryana Act 2 of
1975.

2. In section 2A of the Haryana Legislative Assembly (Salary, Allowances and Pension of Members) Act, 1975 (hereinafter called the principal Act), for the words “twenty thousand rupees”, words “thirty thousand rupees” shall be substituted.

Amendment of
section 3A of
Haryana Act 2 of
1975.

3. In section 3A of the principal Act, for the words “twenty thousand rupees”, words “thirty thousand rupees” shall be substituted.

Amendment of
section 3C of
Haryana Act 2 of
1975.

4. In section 3C of the principal Act, for the words “five thousand rupees”, words “ten thousand rupees” shall be substituted.

Amendment of
section 4 of
Haryana Act 2 of
1975.

5. In sub-section (1) of section 4 of the principal Act, for the words “forty thousand rupees”, words “fifty thousand rupees” shall be substituted.

Amendment of
section 6 of
Haryana Act 2 of
1975.

6. In sub-section (3) of section 6 of the principal Act, for the words “rupees ten thousand”, words “fifteen thousand rupees” shall be substituted.

7. In sub-section (1) of section 7A of the principal Act, for the words "seven thousand five hundred rupees". words "ten thousand rupees" and for the words "one thousand rupees", words "one thousand and five hundred rupees" shall be substituted.

Amendment of
section 7 of
Haryana Act 2 of
1975.

RAJ RAHUL GARG,
Secretary to Government, Haryana,
Law and Legislative Department.